THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.18349 of 2006

Dated: 1.9.2006

Between
Karshan

..Petitioner

and

1.The Assistant City Planner,
Circle No.6, Municipal Corporation of
Hyderabad, Town Planning Section,
Abids, Hyderabad and others.

…Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.18349 of 2006

ORDER:

Heard both the learned counsel.

The matter is coming up for admission today. Sri Ganta Rama Rao takes notice on behalf of the respondents.

Mr.Mohd Zia-Ul-Haque, learned counsel for the petitioner, states that without following either the land acquisition proceedings or the procedure specified under Sections 146 or 147 of the Hyderabad Municipal Corporations Act, 1955, the respondents are posing a serious threat to demolish the subject matter of the writ petition.

This writ petition is filed seeking a writ of Mandamus to declare the action of the 1st respondent, dated 29.08. 2006, orally threatening the petitioner to hand over the premises bearing No.5-5-686/687 situated at Malakunta, Darusalam Road, Hyderabad, without following the Land Acquisition proceedings, as illegal and arbitrary and contrary

to Sections 146 and 147 of the Hyderabad Municipal Corporations Act.

It is stated that the petitioner is the absolute owner and possessor of the premises in question. It is further stated that he became the owner by virtue of two registered sale deeds executed in his favour by his vendors way back in the year 1975. Several other factual details have been narrated in paras 2 to 6 of the affidavit, filed in support of the writ petition. It is needless to say that the respondents are bound to follow the due process of law before initiating the demolition activities.

In view of the above, the writ petition is disposed of with a direction to the respondents not to resort to any demolition activities, unless and until they follow the due process of law, if as on today already the demolition was not made. No costs.

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01.09.2006

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